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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,164	11/17/1999	Michael J. Munroe	5922-53642	3438

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EXAMINER
PHAN, HANH

ART UNIT	PAPER NUMBER
2633	

DATE MAILED: 09/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/454,164	Applicant(s) MUNROE ET AL.	
	Examiner Hanh Phan	Art Unit 2633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 November 1999* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10,14-17 and 19-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-4 and 19-21* is/are allowed.

6)☒ Claim(s) *5-10, 14-17, 22-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This Office Action is responsive to the RCE filed on 09/03/2002.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 5-10, 14-17, and 22-28 are rejected under 35U.S.C.103(a) as being unpatentable over Mossberg et al (U.S.Patent No. 6,314,220) in view of Chen (U.S. Patent No. 5,841,776).

Regarding claims 5, 16, and 23, referring to Figure 1, Mossberg teaches a central station for an optical network, comprising: a transmitter (10, 15a, 16a) coupled to produce an optical data signal from an electrical data signal (col. 3, lines 34-67, col. 4, lines 1-27), and an encoder (15c, 16c, 19, 20)(i.e., optical circulators and fiber gratings) coupled to apply a composite code to the optical data signal, the composite code having a first code (15e) and a second code (16e), wherein the first code (15e) is to identify a first destination (15j) and the second code (16e) is to identify a second destination (16j).

Mossberg differs from claims 5, 16, and 23 in that he does not specifically teach the second station coupled to receive a decoded output signal from the first station. However, Chen

discloses a second station coupled to receive a decoded output signal from a first station (figure 5, column 4, lines 15-26). One skilled in the art would clearly recognized that providing a second station coupled to receive a decoded output signal from a first station would have designated the sources and destinations for data. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the second station coupled to receive a decoded output signal from a first station as taught by Chen in the system of Mossberg in order to designate the sources and destinations for data.

Although Mossberg does not specifically teach that 15j and 16j are first and second stations, it would have been obvious to send data to stations. Although he does not specifically teach that the first and second codes are used to identify the first and second stations, it is well known to send an address with a signal to identify where the signal is to be sent.

Regading claims 6, 17, and 24, Mossberg further teaches the composite code to be applied by the encoder is a temporal code (Fig. 1, col. 2, lines 53-58).

Regading claims 7 and 25, Mossberg further teaches the composite code is an address code designate an intended destination for data defined by the electrical data signal (Fig. 1).

Regading claim 8, the combination of Mossberg and Chen teaches a multiplexing station for an optical network, comprising: a temporal address decoder (16g, 19a, 15g, 20a)(Fig. 1 of Mossberg) coupled to receive a signal containing data coded according to a first downstream address code and a second downstream address code and to strip the first downstream address code from the signal, wherein the first downstream address code is to designate a first destination

and the second downstream address code is to designate a second destination that is coupled to receive the stripped signal from the first destination (Fig. 1 of Mossberg, col. 3, lines 34-67, col. 4, lines 1-27 and figure 5 of Chen, column 4, lines 15-26).

Regading claim 9, Mossberg further teaches the temporal address decoder is to strip an optical code from the signal (col. 4, lines 3-27).

Regading claims 10 and 22, Mossberg further teaches the optical code is a composite code (Fig. 1).

Regading claim 14, Mossberg further teaches the temporal address decoder comprises at least one fiber Bragg grating coupled to strip the code (Fig. 1, col. 4, lines 3-27).

Regading claim 15, Mossberg further teaches wherein further comprising an optical circulator coupled to direct the signal to at least one fiber Bragg grating (Fig. 1, col. 4, lines 3-27).

Regarding claim 26, the combination of Mossberg and Chen teaches a multiplexing station for an optical network, comprising: an encoder to encode an optical signal to designate the multiplexing station's level, the optical signal containing data from a user station of a plurality of user stations (Fig. 1 of Mossberg, col. 3, lines 34-67, col. 4, lines 1-27).

Regarding claim 27, Mossberg further teaches the encoder includes at least one fiber Bragg grating to encode an optical signal (Fig. 1).

Regarding claim 28, Mossberg furher teaches wherein further comprising an optical circulator coupled to direct the optical signal to the at least one fiber Bragg grating (Fig. 1).

4. Claims 1-4 and 19-21 are allowed.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Phan whose telephone number is (703)306-5840.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached on (703)305-4729. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

Leslie Pascal

LESLIE PASCAL
PRIMARY EXAMINER